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DEC 27 2006

STEVE M. McLARY, ESQ.  
GRAPHIC PACKAGING INTERNATIONAL, INC.  
814 LIVINGSTON COURT  
MARIETTA GA 30067

*In re* Application of:

ZOECKLER, MICHAEL D.

Serial No.: 09/559,704

Filed: April 27, 2000

Docket: 7137

Title: PAPERBOARD CARTONS WITH  
LAMINATED REINFORCING RIBBONS  
AND METHOD OF MAKING SAME

DECISION ON PETITION TO  
ISSUE EXAMINER'S  
ANSWER

This is a decision on the petition filed on May 12, 2006 to withdraw the non-final Office action April 19, 2006 and issue an examiner's answer.

The petition is **DISMISSED as moot.**

In the petition the applicant requested a withdrawal of the non-final Office action on April 19, 2006 and issue an examiner's answer in order to expedite the appeal. In support of his petition, the petitioner stated that prosecution in this application should not be re-opened for many reasons. Petitioner opined that by (1) reopening prosecution is not appropriate because a Reply Brief already has been filed, entered, and considered, (2) reopening prosecution unnecessarily delays a decision by the Board in the present application and frustrates the desire of applicant to have the Board address the present application at the same time as two other applications in this patent family, both of which currently are under appeal, (3) with the exception of two sentences added, the present non-final Office action is merely a reiteration of the prior statements and arguments presented by the examiner in his earlier rejections and Examiner's Answer in the prior appeal of the present application and fails to address each of the Board's stated concerns of lack of support for the rejections and requests for additional information, and (4) the Director has the authority to remedy the misstep of reopening prosecution.

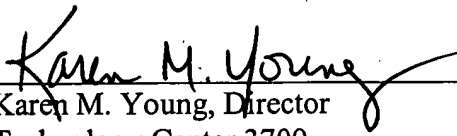
In response to the non-final Office action of April 19, 2006, the applicant filed an Appeal Brief on Aug. 3, 2006. Subsequently, the examiner issued an Examiner's Answer on Oct. 6, 2006.

In view of the history, the relief the applicant requested, namely the withdrawal of the non-final Office action is no longer necessary because the Appeal Brief was filed and accepted by the examiner. With regard to the second requested relief for issuance of Examiner's Answer, this has already occurred on Oct. 6, 2006. Accordingly, the petition is dismissed as moot.

*Application Serial No. 09/559,704*  
*Decision on Petition*

The application is being forwarded to the Supervisory Patent Examiner of Art Unit 3721 for further process. Any inquiry regarding this decision should be directed to Henry Yuen, Special Program Examiner, at (571) 272-4856.

PETITION DISMISSED AS MOOT.

  
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Karen M. Young, Director  
Technology Center 3700